

BAE Systems Land and Armaments, LP  
1100 BAIRS ROAD  
York, Pennsylvania 17408



September 25, 2014

Ms. Bonnie Hriczko  
Removal Action Branch  
U.S. Environmental Protection Agency, Region II  
2890 Woodbridge Avenue, MS-211  
Edison, New Jersey, 08837

Mr. William Tucker, Esq.  
Office of Regional Counsel  
U.S. Environmental Protection Agency, Region II  
290 Broadway, 17th Floor  
New York, New York, 10007

Re: Response to Request for Information Pursuant to Section 104 of CERCLA Superior Barrel and Drum  
Site, Elk, Gloucester County, New Jersey

Dear Ms. Hriczko and Mr. Tucker,

This is in response to the Environmental Protection Agency's request for information concerning Superior Barrel and Drum. Our responses to the questions in the Request for Information are set forth below, and the completed form and notarized Certification of Answers are attached. The responses below are numbered according to the applicable question and subpart to which they respond.

- 1.a. The correct legal name of the Company is BAE Systems Land & Armaments L.P.
- 1.b. BAE Systems Land & Armaments L.P. is a Delaware limited partnership.
- 1.c. The President of BAE Systems Land & Armaments L.P. is Erwin Bieber. The entity does not have a Chairman of the Board or Chief Executive Officer.
- 1.d. The undersigned, Joseph C. Port Jr., will serve as the legal contact for the Company in this matter, whose contact information is as follows:

Joseph C. Port Jr.  
Counsel  
BAE Systems Land & Armaments L.P.  
Platforms & Services, Combat Vehicles  
Office 01-161  
1100 BAIRS ROAD  
York, Pennsylvania 17408  
Joseph.port@baesystems.com  
717-225-8330 (office)

1.e. BAE Systems Land & Armaments L.P. is a subsidiary of BAE Systems Land & Armaments Inc., which holds 99% of the limited partnership interest in BAE Systems Land & Armaments L.P., with the remaining 1% held by BAE Systems Land & Armaments Holdings Inc. BAE Systems Land & Armaments Holdings Inc. is 100% owned by BAE Systems Land & Armaments Inc., located at 2000 North 15th Street, 11th Floor, Arlington, VA 22201, which is 100% owned by BAE Systems Land & Armaments Inc., which in turn is 100% owned by BAE Systems, Inc., located at 1101 Wilson Blvd., Suite 2000, Arlington, VA 22209. BAE Systems Land & Armaments L.P. has no subsidiaries.

1.f. BAE Systems Land & Armaments L.P. is a Delaware limited partnership and its agent for service of process in Delaware is The Corporation Trust Company, 1209 Orange Street, Wilmington, DE 19801. BAE Systems Land & Armaments L.P. is not qualified to do business in New Jersey and has no agent for service of process therein. BAE Systems Land & Armaments Inc. is a Delaware corporation and its agent for service of process in Delaware is The Corporation Trust Company, 1209 Orange Street, Wilmington, DE 19801. BAE Systems Land & Armaments Inc. is not qualified to do business in New Jersey and has no agent for service of process therein. BAE Systems Land & Armaments Holdings Inc. is a Delaware corporation and its agent for service of process in Delaware is The Corporation Trust Company, 1209 Orange Street, Wilmington, DE 19801. BAE Systems Land & Armaments Holdings Inc. is not qualified to do business in New Jersey and has no agent for service of process therein. BAE Systems, Inc. is a Delaware corporation and its agent for service of process in Delaware is The Corporation Trust Company, 1209 Orange Street, Wilmington, DE 19801. BAE Systems, Inc. is not qualified to do business in New Jersey and has no agent for service of process therein.

1.g. BAE Systems Land & Armaments L.P. is the successor to and was formerly known as United Defense, L.P., which was a Delaware limited partnership.

2. To the best of BAE Systems Land & Armaments L.P.'s present ability to determine, none of the Company's facilities has ever conducted any business transactions of any nature with Superior Barrel and Drum Company, Inc. BAE Systems Land & Armaments L.P. will continue with its due diligence on this inquiry and duly supplement this response if additional information becomes known or available.

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15. The following persons were consulted in responding to Question 2 regarding the existence of any prior business transactions with Superior Barrel and Drum Company, Inc.:

- John W. Arnold — SHE Supervisor for BAE Systems Land & Armaments L.P., 1100 BAIRS ROAD York, Pennsylvania 17408, (717)-225-7592
- Greg Beshore — Director Supply Chain for BAE Systems Land & Armaments L.P., 1100 BAIRS ROAD York, Pennsylvania 17408, (717) 225-8110
- Teri Gembe — Financial Analyst for BAE Systems Land & Armaments L.P., 1100 BAIRS ROAD York, Pennsylvania 17408, (717) 225-8044
- Todd Harrold — Vice President Operations for BAE Systems Land & Armaments L.P., 1100 BAIRS ROAD York, Pennsylvania 17408, (717) 225-8108

- Tom Kohr — Manager Supply Chain for BAE Systems Land & Armaments L.P., 1100 BAIRS ROAD York, Pennsylvania 17408, (717) 225-8201
- Barbara Knox — Manager Purchasing for BAE Systems Land & Armaments L.P., 1100 BAIRS ROAD York, Pennsylvania 17408, (717) 225-8077
- Paul Lagowski — Environmental Manager for BAE Systems Land & Armaments L.P., 1100 BAIRS ROAD York, Pennsylvania 17408, (717) 225-8059
- George Rodenburg — CSP Manager, Safety Health & Environment, BAE Systems Land & Armaments L.P., 1100 Bairs Road, York, PA 17408, (717).225-7065
- James Schell — Finance Manager for BAE Systems Land & Armaments L.P., 1100 BAIRS ROAD York, Pennsylvania 17408, (717) 225-8238,
- Scott Snyder — Senior Safety Representative for BAE Systems Land & Armaments L.P., 1100 BAIRS ROAD York, Pennsylvania 17408, (717) 225-8287
- Deborah Fox—Site Manager for BAE Systems Land & Armaments L.P., 200 Industrial Drive, Elgin, OK 73538, (724) 880-9647
- Bill Gregory — former Environmental Manager for United Defense BMV Combat Systems, 717.872.5461 (Business)
- Jeffrey Hayes — former Environmental Operator for BAE Systems Land & Armaments L.P., [REDACTED]

16. BAE Systems Land & Armaments L.P. is presently unaware of any other person or entity (e.g., individual, company, partnership, etc.) having knowledge of facts relating to the questions which are the subject of this inquiry.

17. BAE Systems Land & Armaments L.P. is presently unaware of any additional information or documents that may be relevant or useful to identify other sources who disposed of or transported Containers to the Site.

Respectfully submitted,

  
Joseph C. Port Jr.

Encls.

### **REQUEST FOR INFORMATION**

1.
  - a. State the correct legal name of the Company.
  - b. Identify the legal status of the Company (corporation, partnership, specify if other) and the state in which the Company was organized.
  - c. State the names and addresses of the President, Chairman of the Board and the Chief Executive Officer of the Company.
  - d. Provide the name of an attorney, if any, who will serve as the legal contact for your Company in this matter.
  - e. If your Company is a subsidiary or affiliate of another corporation, or has subsidiaries itself, identify each such entity and its relationship to your Company.
  - f. Identify the state and date of incorporation and the agent for service of process in the State of incorporation and in the State of New Jersey for your Company and for each entity identified in your response to Question 1(e), above.
  - g. If the Company is a successor to, or has been succeeded by another entity, identify each such other entity and provide the same information requested above for each.
  - h. If the Company transacted business with SBD in the name of an entity not already disclosed above, give the name of such entity and state its relationship to the Company.
2. State whether any of your Company's facilities has ever conducted any business transactions of any nature with Superior Barrel and Drum Company, Inc. ("SBD"), including but not limited to the sale, purchase, removal, disposal, treatment, or storage of any barrels, drums, totes, overpacks or other containers (hereinafter collectively referred to as "Containers"). Answer:      YES;   X   NO.
3. If your answer to Question 2, above, is yes, identify each Company facility involved in all such transactions and provide the following information for each facility:
  - a. State the name and address of each facility and describe each facility's operations;

- b. For each facility, describe the nature of business relationship between that facility and SBD, including the nature of services rendered or products sold;
  - c. Provide copies of any contracts, agreements or other arrangements between that facility and SBD;
  - d. Provide copies of all permits issued pursuant to the Resource Conservation and Recovery Act, 42 U.S.C. Section 6901, et seq. ("RCRA") for each facility; and
  - e. Identify the EPA RCRA identification number, if any, for each facility.
4. If your answer to Question 2, above, is yes, did any of the transactions between any Company facility and SBD involve the transport or shipment of any Containers from that facility to SBD by any person, regardless of whether such Containers contained no material whatsoever, contained more or less than one inch of material, or may have been described as RCRA "empty"? Answer:      YES;      NO.
5. If your answer to Question 4, above, is yes, for each such transaction provide the following information:
- a. Identify the specific dates of each transaction, the Company facility involved with each transaction, the intended purpose of each transaction, and the number and type of Containers involved in each transaction;
  - b. Provide copies of all documents relating in any way to each transaction, including but not limited to copies of delivery receipts, invoices, bills of lading, purchase orders or payment devices; and
  - c. Identify all persons who might have knowledge of the transaction or who had any responsibility regarding the transaction.
6. For each Company facility identified in response to Question 5, above, for the time period from 1974 to 2013:
- a. Describe that facility's operations;
  - b. Identify all chemicals used as raw materials in that facility's operations;
  - c. Identify all chemicals contained in products produced at that facility;
  - d. Identify all chemicals used to clean equipment or machinery at that facility;

- e. Identify the nature and chemical constituents of all waste streams at that facility and their disposition;
  - f. Identify any other chemicals used at that facility and describe their use; and
  - g. Provide all Material Safety Data Sheets (MSDS) for all chemicals listed in answer to this Question 6.
7. Was any Container identified in response to Question 5, above, previously used to contain any material? Answer: ☐ YES; ☐ No. If your answer is yes, for each such Container provide the following:
- a. Identify each material previously contained within such Container, including its specific chemical constituents, physical state, quantity by volume and weight, and hazardous and other characteristics;
  - b. Provide all written analyses or other documents prepared for or relating to each such material which may be in the custody or control of the Company; and
  - c. Provide all material safety data sheets (MSDS) relating to each such material.
8. Did any Container that was the subject of any transaction identified in response to Question 5, above—contain any material whatever, in any quantity, at the time of its transport or shipment from the Company facility, regardless of whether or not it is or was ever alleged to be "empty" under RCRA, or alleged to contain less than one inch of material? Answer: ☐ YES; ☐ NO.
9. If your answer to Question 8 is yes, for each Container that contained any material whatever, in any quantity, at the time of its transport or shipment from the Company facility:
- a. Identify each such material, including its specific chemical constituent(s), physical state, quantity by volume and weight, and hazardous and other characteristics;
  - b. Provide all written analyses or other documents prepared for or relating to each such material which may be in the custody or control of the Company; and
  - c. Provide all material safety data sheets (MSDS) relating to each such material.

10. Do you contend that any Container that was the subject of any transaction identified in response to Question 5, above, did NOT contain any material whatever, in any quantity, at the time of its transport or shipment from the Company facility? Answer: ☐ YES; ☐ NO.
11. If your answer to Question 10 is yes, for each such Container provide all facts upon which you rely for your assertion.
12. For those transactions identified in response to Question 5, was any treatment or cleaning of any Container performed by any person prior to the time that the Container was transported or shipped from the Company to SBD, including any process or procedure by which the Container was emptied, drained, wiped or otherwise cleaned? Answer: ☐ YES; ☐ NO.
13. If your answer to Question 12, above, is yes, for each such Container provide a detailed description of all such treatment, including any emptying, draining, wiping or cleaning, and identify all chemicals used in such treatment or cleaning.
14. For each transaction identified in response to Question 5 involving any third-party transporter, identify each such transporter, including the name and address of such transporter, and identify in which of the transactions such transporter acted.
15. Identify each person consulted in responding to these questions and all questions on which he or she was consulted.
16. Identify any other person or entity (e.g., individual, company, partnership, etc.) having knowledge of facts relating to the questions which are the subject of this inquiry. For each such person that you identify, provide the name, address, and telephone number of that person, and the basis of your belief that he or she has such knowledge. For past and present employees, include their job title(s) and a description of the responsibilities.
17. Supply any additional information or documents that may be relevant or useful to identify other sources who disposed of or transported Containers to the Site.

**CERTIFICATION OF ANSWERS TO REQUEST FOR INFORMATION**  
Superior Barrel and Drum Site, Elk, Gloucester County, New Jersey

State of Pennsylvania:

County of York:

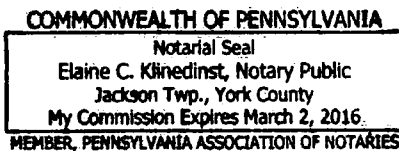
I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document (response to EPA Request for Information) and all documents submitted herewith, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate, and complete, and that all documents submitted herewith are complete and authentic unless otherwise indicated. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment. I am also aware that I am under a continuing obligation to supplement my response to EPA's Request for Information if any additional information relevant to the matters addressed in EPA's Request for Information or my response thereto should become known or available to me.

JOSEPH C. PORT JR  
NAME (print or type)

COUNSEL  
TITLE (print or type)

Joseph C. Port Jr  
SIGNATURE

Sworn to before me this 25<sup>TH</sup>  
day of September, 2014



Elaine C. Klinedinst  
Notary Public



From: (717) 225-8284  
Vickie Cook  
BAE Systems  
PO Box 15512  
1100 Bairs Road  
York, PA 17408

Origin ID: THVA

FedEx Express



J14221409230326

Ship Date: 25SEP14  
ActWgt: 1.0 LB  
CAD: 105860219/NET3550

Delivery Address Bar Code



Ref # Cost Center 4533  
Invoice #  
PO #  
Dept #

SHIP TO: (732) 321-6647

BILL SENDER

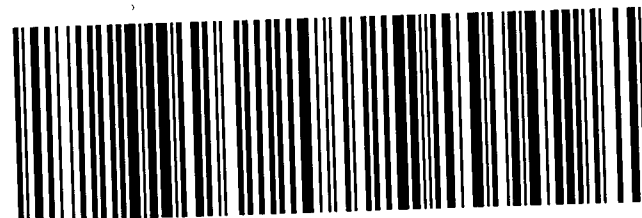
Ms Bonnie Hriczko, Removal Action B  
US Environmental Protection Agency  
2890 Woodbridge Avenue, MS-211  
Region II  
EDISON, NJ 08837

FRI - 26 SEP 10:30A  
PRIORITY OVERNIGHT

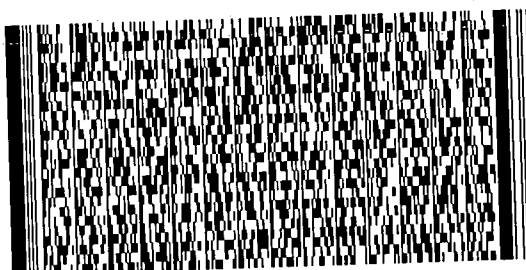
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E2 LDJA



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RT 752 1 B  
FZ 8348 09.26

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Express

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or of the front if space permits.

1. Article Addressed to:

United Defense/BNV Division of Harco  
c/o BAE Systems  
1100 Bairs Rd.  
York, PA 17404  
SEP 17 10 11 AM  
SEP 17 10 11 AM  
President & CEO

2. Article Number

(Transfer from service label)

PS Form 3811, July 2013

COMPLETE THIS SECTION ON DELIVERY

- A. Signature  
*M. Hriczko*
- B. Received by (Printed Name)  
*M. Hriczko*
- C. Date of Delivery  
*9/26/14*
- D. Is delivery address different from item 1? ☐ Yes ☒ No  
If YES, enter delivery address below:

3. Service Type

- ☒ Certified Mail
- ☐ Registered
- ☐ Insured Mail
- ☐ Priority Mail Express™
- ☐ Return Receipt for Merchandise
- ☐ Collect on Delivery

4. Restricted Delivery? (Extra Fee)

☐ Yes ☒ No

Domestic Return Receipt  
7013 1090 0002 2838 0451

Insert shipping document here